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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/030,420	01/10/2002	Kei Usui	2001-1862A	8785
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513 7590 06/02/2005

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WASHINGTON, DC 20006-1021

EXAMINER

PHASGE, ARUN S

ART UNIT	PAPER NUMBER
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1753

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20050531

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply brief filed 2/28/05 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arun S. Phasge whose telephone number is (571) 272-1345. The examiner can normally be reached on MONDAY-THURSDAY, 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam X Nguyen can be reached on (571) 272-1342. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Arun S. Phasge
Primary Examiner
Art Unit: 1753



AF 1111

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of : **Confirmation No. 8785**
Kei USUI : Docket No. 2001_1862A
Serial No.10/030,420 : Group Art Unit 1753
Filed January 10, 2002 : Examiner Arun S. PHASGE
METHOD FOR WASHING FOODSTUFF WITH ACTIVATED WATER **Mail Stop: Appeal Brief- Patents**

REPLY BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in reply to the Examiner's Answer dated December 30, 2004.

In the paragraph beginning at page 5, line 8 of the Answer, the Examiner argues that "The claims do not state how the quality of the resultant foodstuff is improved." In reply, it is unnecessary for the claims to recite how quality of the foodstuffs is improved since this is the function of the specification e.g. the Examples.

The improvement of foodstuff quality by the present invention is a fact as evidenced by the specification.

In the paragraph starting on page 5, line 13, the Examiner appears to be concerned with molecular hydrogen as released from the hydrogen-absorbing alloy. In reply, the present claims are silent on the state of the hydrogen released from the alloy.

In this regard, the present claims merely recite contacting water with an alloy having absorbed hydrogen, whereby the alloy having absorbed hydrogen releases hydrogen to activate the water which is used to wash foodstuffs, whereby the quality of the foodstuffs is improved. The alloy having absorbed hydrogen is neither disclosed nor suggested by Reznik.